



General Assembly

**Amendment**

February Session, 2012

LCO No. 5359

**\*SB0037905359SR0\***

Offered by:  
SEN. MCKINNEY, 28<sup>th</sup> Dist.

To: Senate Bill No. 379

File No. 471

Cal. No. 328

**"AN ACT CONCERNING EXPENDITURES OF THE JUDICIAL  
DEPARTMENT, THE DIVISION OF CRIMINAL JUSTICE AND THE  
PUBLIC DEFENDER SERVICES COMMISSION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 18-98e of the 2012 supplement to the general  
4 statutes is repealed and the following is substituted in lieu thereof  
5 (*Effective from passage and applicable to an inmate's eligibility to earn risk*  
6 *reduction credits on or after said date*):

7 (a) Notwithstanding any provision of the general statutes, any  
8 person sentenced to a term of imprisonment for a crime committed on  
9 or after October 1, 1994, and committed to the custody of the  
10 Commissioner of Correction on or after said date, except a person  
11 sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-54d,  
12 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-58, or any other  
13 crime that resulted in the death of another person, or section 53a-59,  
14 53a-59a, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-70, 53a-70a, [or] 53a-70b,

15 53a-72b, 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-100aa, 53a-101,  
16 53a-102, 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135, 53a-136,  
17 53a-167c, 53a-179b, 53a-179c or 53a-181c, may be eligible to earn risk  
18 reduction credit toward a reduction of such person's sentence, in an  
19 amount not to exceed five days per month, at the discretion of the  
20 Commissioner of Correction for conduct as provided in subsection (b)  
21 of this section occurring on or after April 1, 2006.

22 (b) An inmate may earn risk reduction credit for adherence to the  
23 inmate's offender accountability plan, for participation in eligible  
24 programs and activities, and for good conduct and obedience to  
25 institutional rules as designated by the commissioner, provided (1)  
26 good conduct and obedience to institutional rules alone shall not  
27 entitle an inmate to such credit, and (2) the commissioner or the  
28 commissioner's designee may, in his or her discretion, cause the loss of  
29 all or any portion of such earned risk reduction credit for any act of  
30 misconduct or insubordination or refusal to conform to recommended  
31 programs or activities or institutional rules occurring at any time  
32 during the service of the sentence or for other good cause. If an inmate  
33 has not earned sufficient risk reduction credit at the time the  
34 commissioner or the commissioner's designee orders the loss of all or a  
35 portion of earned credit, such loss shall be deducted from any credit  
36 earned by such inmate in the future.

37 (c) The award of risk reduction credit earned for conduct occurring  
38 prior to July 1, 2011, shall be phased in consistent with public safety,  
39 risk reduction, administrative purposes and sound correctional  
40 practice, at the discretion of the commissioner, but shall be completed  
41 not later than July 1, 2012.

42 (d) Any credit earned under this section may only be earned during  
43 the period of time that the inmate is sentenced to a term of  
44 imprisonment and committed to the custody of the commissioner and  
45 may not be transferred or applied to a subsequent term of  
46 imprisonment. In no event shall any credit earned under this section be  
47 applied by the commissioner so as to reduce a mandatory minimum

48 term of imprisonment such inmate is required to serve by statute.

49 (e) The commissioner shall adopt policies and procedures to  
50 determine the amount of credit an inmate may earn toward a  
51 reduction in his or her sentence and to phase in the awarding of  
52 retroactive credit authorized by subsection (c) of this section."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage and applicable to an inmate's eligibility to earn risk reduction credits on or after said date</i>	18-98e